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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/438,630	11/12/1999	NAOKI MURAYAMA	SONYJP-3.0-0	9638

530 7590 04/07/2004

LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK
600 SOUTH AVENUE WEST
WESTFIELD, NJ 07090

EXAMINER

ONUAKU, CHRISTOPHER O

ART UNIT	PAPER NUMBER
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2615

DATE MAILED: 04/07/2004

15

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/438,630

Applicant(s)

MURAYAMA ET AL.

Examiner

Christopher Onuaku

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/15/04 has been entered.

Response to Arguments

2. Applicant's arguments with respect to claims 11-21 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 11-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sampsell (US 6,219,839) in view of Yuen et al (US 6,606,747).

Regarding claim 11, Sampsell discloses a user interface and method to control the operation of multiple components in an audio/visual (A/V) system, including networked information systems where each component of the system has configurable physical parameters analogous to A/V capabilities, such as storage, display, and input/output devices, and separable, i.e., self sufficient, deliverable data products analogous to A/V channels and programs, comprising:

a) a receiver section for receiving digital television signals (see Fig.1 and TV receiver 12; col.3, line 66 to col.4, line 16);

b) a digital interface for receiving digital television signals reproduced and transmitted from an external storage device (see Fig.1, digital interface 30 that connects the TV receiver 12 to VCR #1 14, VCR#2 16, laser disc 18, DVD 20, cable 22, direct satellite broadcast receiver 24 and internet connection 26; col.3, line 66 to col.4, line 44);

c) an on-screen display processor for generating an on-screen display signal from the digital television signals received from the receiver section and from the external storage device, the on-screen processor being adapted to generate a first on-screen display signal representing a description of a television program currently received by the receiver section and a second on-screen display signal representing a description of television programming which is transmitted by the external storage device through the digital interface (see for example, on-screen control 104 of Fig.10; col.7, lines 23-45), here examiner reads the second on-screen display as the display of the EPG information, and the first on-screen display as the display of a program

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selected for viewing by the user from the EPG information, and the EPG information is externally received from the cable 22 or DBS 24, for example, each of which includes storage means for storing programming information.

Sampsell fails to explicitly disclose wherein the on-screen processor is being adapted to generate a first on-screen display signal representing a description of a television program currently received by the receiver section and a second on-screen display on a separate, second screen representing a description of television programming.

Yuen et al teach a method and apparatus for switching between a television viewing mode and a program guide mode in which video programs and related text are displayed simultaneously on a television screen, wherein to permit the viewing of programs scheduled for future broadcast without losing sight of the current program being watched, a television viewer can use a PIP format for display of television program listings for a specific channel, or a specific time from a program schedule data base in the background and moving, real time images of the current program on that channel in the PIP window. Here, Sampsell teaches a television system including an electronic television program guide (EPG) in which the moving images of a television program are displayed in a PIP window on the screen of a television monitor and textual information related to the television program is displayed in the background on the screen (see Fig.1&2; col.3, lines 1-52 and col.4, line 33 to col.5, line 13).

It would have been obvious to modify Sampsell by realizing Sampsell with the means to generate a first on-screen display on a first screen representing a description

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of a television program currently received by a receiver section and a second on-screen display on a separate, second screen representing a description of television programming, as taught by Yuen, since this, for example, provides the desirable advantage of permitting the viewing of programs scheduled for future broadcast without losing sight of the current program being watched..

Regarding claim 12, Sampsell modified with Yuen discloses wherein the first and second on-screen displays are substantially the same (see Sampsell col.7, lines 23-45), following the discussions of claim 11 above, examiner reads the EPG information and the program described in the EPG information are being substantially the same.

Regarding claim 13, Sampsell discloses wherein the digital television signals received by the receiver section include television program guide information (col.3, line 66 to col.4, line 11).

Regarding claim 14, Sampsell discloses wherein the digital television signals reproduced and transmitted from the external storage device include television program guide information (col.3, line 66 to col.4, line 11).

Regarding claim 15, Sampsell discloses wherein the on-screen display processor processes the television program guide information included in the reproduced digital television signals to generate the second on-screen display and omits unnecessary

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information from the television guide information (see col.5, lines 2-39; and col.7, lines 23-45), here the program guide information is displayed, the user selects from the program guide information the program desired by the user, leaving any other programming information on the program guide information as unnecessary information.

Regarding claim 16, the claimed limitations of claim 16 are accommodated in the discussions of claim 11 above.

Regarding claim 17, the claimed limitations of claim 17 are accommodated in the discussions of claim 12 above.

Regarding claim 18, the claimed limitations of claim 18 are accommodated in the discussions of claim 13 above.

Regarding claim 19, the claimed limitations of claim 19 are accommodated in the discussions of claim 14 above.

Regarding claim 20, the claimed limitations of claim 20 are accommodated in the discussions of claim 15 above.

Regarding claim 21, the claimed limitations of claim 21 are accommodated in the discussions of claim 11 above. Here, as discussed in claim 11 above, the first on-screen

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display displays the program desired and selected from the EPG information, wherein the claimed indicia include the program name, the channel carrying the program, the program start/end times, which are inherent in a scheduled program in order to identify the program; and the second on-screen display displays the EPG information, wherein the second set of indicia includes the identification parameters of the programs contained in the EPG information, and examiner reads the claimed distinguishing indicia element as the channel that is carrying a program.

Conclusion

5. Any inquiry concerning this communication or earlier communications from this examiner should be directed to Christopher Onuaku whose telephone number is (703) 308-7555. The examiner can normally be reached on Tuesday to Thursday from 7:30 am to 5:00 pm. The examiner can also be reached on alternate Monday.

If attempts to reach the examiner by telephone is unsuccessful, the examiner's supervisor, Andrew Christensen, can be reached on (703) 308-9644.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314, (for formal communications intended for entry)

and (for informal or draft communications, please label "PROPOSED" or "DRAFT")

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Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should
be directed to Customer Service whose telephone number is (703) 306-0377.


COO

4/2/04


THAI TRAN
PRIMARY EXAMINER